



PATENT APPLICATION No.: 09/938,670
ATTORNEY DOCKET No.: 60117.000007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 09/938,670 Confirmation No.: 2509
Applicant : Jens PETERSEN et al.
Filed : August 27, 2001
Title : POLYACRYLAMIDE HYDROGEL AND ITS USE AS AN
ENDOPROSTHESIS
TC/Art Unit : 3738
Examiner: : David J. Isabella

Docket No. : 60117.000007
Customer No. : **21967**

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants submit attached Form PTO/SB/08B (modified) for consideration and request the references cited therein be made of record by the U.S. Patent and Trademark Office in the above-captioned application.

Although it is believed that the references submitted herein are either cumulative to references previously submitted or not material to patentability of the allowed claims, the references are being submitted in copending U.S. Application No. 09/938,667. Therefore, Applicants are submitting the references in the present application with the abundance of caution for the duty of disclosure set forth in 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of the references, except U.S. patents and U.S. patent application publications, are submitted herein. In considering the cited references, it may be noted by the Examiner that certain of the references may contain markings, underlinings, and/or other notations. These markings, underlinings, and/or other notations are not to be construed as drawing the Examiner's attention either to selected parts or away from other parts of the cited references. Any such markings were either present on the copies of the cited

references obtained by the associated individuals, or were made thereon during the study of the references by the associated individuals.

Applicants respectfully point out that the submission of the listed references in this Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by Applicants.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08B with the Examiner's initials in the left column in accordance with M.P.E.P. § 609 are respectfully requested.

A Request for Continued Examination under 37 C.F.R. § 1.114 is being submitted herewith. Thus, in accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is believed to be submitted prior to issuance of a first Office Action on the merits. Accordingly, it is respectfully submitted that no fee is required for consideration of this Information. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: June 13, 2007

By:



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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number**09/938,670****Filing Date****August 27, 2001****First Named Inventor****Jens PETERSEN et al.****Art Unit****3738****Examiner Name****David J. Isabella****Sheet****1 of 3****Attorney Docket Number****60117.000007****U.S. PATENT DOCUMENTS**

| *Examiner Initials | Cite No. | DOCUMENT NUMBER Number - Kind Code (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|-------------|--|--------------------------------|--|---|
| | 1. | US- 2002/0187172 | 12-12-2002 | Reb, et al. | |
| | 2. | US- 2003/0171509 | 09-11-2003 | Balestrieri, et al. | |
| | 3. | US- 4,344,193 | 08-17-1982 | Kenny | |
| | 4. | US- 4,502,161 | 03-05-1985 | Wall | |
| | 5. | US- 4,540,569 | 09-10-1985 | Ohnishi, et al. | |
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| | 21. | US- 6,592,859 | 07-15-2003 | Bley | |
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EXAMINER SIGNATURE**DATE CONSIDERED**

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number 09/938,670
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First Named Inventor Jens PETERSEN et al.
Art Unit 3738
Examiner Name David J. Isabella
Attorney Docket Number 60117.000007

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FOREIGN PATENT DOCUMENTS

| *Examiner Initial | Cite No. | FOREIGN PATENT DOCUMENT | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | TRANSLATION | |
|----------------------|-------------|---|-----------|--------------------------------|--|---|--------------------------|--------------------------|
| | | Country Code Number-Kind Code (if known) | | | | | YES | NO |
| | 22. | EP | 0 248 544 | 12-09-1987 | Annis, et al. | | <input type="checkbox"/> | <input type="checkbox"/> |
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| | 26. | EP | 0 830 416 | 03-25-1998 | Vanderhoff, et al. | | <input type="checkbox"/> | <input type="checkbox"/> |
| | 27. | EP | 0 895 785 | 02-10-1999 | Purkait | | <input type="checkbox"/> | <input type="checkbox"/> |
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| | 39. | WO | 01/47431 | 07-05-2001 | Forsell | | <input type="checkbox"/> | <input type="checkbox"/> |
| | 40. | WO | 01/47433 | 07-05-2001 | Forsell | | <input type="checkbox"/> | <input type="checkbox"/> |
| | 41. | WO | 01/50833 | 07-19-2001 | Forsell | | <input type="checkbox"/> | <input type="checkbox"/> |
| | 42. | WO | 01/70289 | 09-27-2001 | Vogel, et al. | | <input type="checkbox"/> | <input type="checkbox"/> |

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| Art Unit | 3738 |
| Examiner Name | David J. Isabella |
| Attorney Docket Number | 60117.000007 |

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OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

| *Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | TRANSLATION | |
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| | | | YES | NO |
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